

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- June 15, 1966

Appeal No. 8807 Eastern Dispensary and Casualty Hospital, appellant

The Zoning Administrator of the District of Columbia, appellee

On motion duly made, seconded and unanimously carried, the following Order was entered by the Board at its meeting on June 22, 1966.

EFFECTIVE DATE OF ORDER: September 21, 1966

**ORDERED:**

That the appeal for a variance from the rear yard height and story limitation requirements of the R-4 District to permit four story rear addition to hospital at 708 Massachusetts Ave., N.E., lots 39, 40, 49, 50, 51, 53, 55, 63, 71, 73, 801, 803, 805, 813, 814, 818, 819, 820, 821, 824, 829, 830, 831, 837 & 838, Square 895, be granted.

From the record and the evidence adduced at the public hearing, the Board finds the following facts:

- (1) Appellant's property is located in an R-4 District.
- (2) Appellant proposes to erect a four story addition to the existing hospital building, which has four stories.
- (3) The addition would provide an expanded emergency and physical therapy service and new intensive care and coronary care units.
- (4) The total area of appellant's property is 80,170 square feet, the existing building occupies 25,230 square feet. Using a 40 percent lot occupancy allowance, appellant could occupy 32,068 square feet. The proposed addition would be 6,470 square feet, thus making appellant's lot occupancy 31,700 square feet.
- (5) Section 3201.1 of the Zoning Regulations provides that structures in the R-4 District be limited to 3 stories and 40 feet in height.
- (6) Section 3304.1 provides that structures in the R-4 District have a 20 foot rear yard.
- (7) Appellant states that the proposed addition will conform to the existing structure in architectural design.

(8) The height variance will tie in all floors of the new addition with the existing hospital building and place the new coronary, surgical and intensive care unit immediately adjacent to the existing operating and recovery suite and the hospital laboratory.

(9) Appellant asserts that if it has to provide a 20 foot rear yard adjacent to an abutting public alley, the useable floor space in the addition would be reduced 30 percent.

(10) Appellant desires to use as its rear lot line the line paralleling C Street rather than the public alley.

(11) The Capitol Hill Restoration Society favors the granting of this appeal.

(12) No opposition was registered at the public hearing.

OPINION:

We are of the opinion that appellant has proved a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested would result in peculiar and exceptional practical difficulties and exceptional and undue hardship upon the owner.

We are further of the opinion that this relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.